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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Attorney Docket No. AUS920010938US1

IN RE APPLICATION OF:

Viktors Berstis

Serial No. 09/970,655

Filed: October 4, 2001

For: Extracting Information
From Software

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Examiner: Chuck O. Kendall

Art Unit: 2122

APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Brief is submitted in triplicate in support of the Appeal in
the above-identified application.

CERTIFICATE OF MAILING
37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as First-Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date below:

JUNE 22, 2005

Date

[Signature]
Signature


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244 system for, *inter alia*, determining an organization of software
245 modules within a software package and extracting identification
246 information from the organization of modules within the software
247 package, as those functions and relationships are set forth in
248 the pending claims, and that therefore the rejection of claims 1-
249 7, 9-13, 15-16 and 19-24 under 35 USC 102(b) as being
250 unpatentable over Hesse is not well-founded and should be
251 reversed. Further, upon allowance of the above noted claims,
252 which include all of the independent claims 1, 16 and 24, the
253 remaining dependent claims, all of which depend from one of the
254 independent claims and recite even further limitations, are, a
255 *fortiori*, allowable as well.

256
257 [Please charge IBM Corporation Deposit Account No. 09-0447 in the
258 amount of \$500.00 for submission of a Brief in Support of Appeal.]
259 No additional fee or extension of time is believed to be
260 required; however, in the event an additional fee or extension of
261 time is required, please charge the fee, as well as any other fee
262 necessary to further the prosecution of this application, to the
263 above-identified deposit account.

264
265 Respectfully submitted,

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267 
268 _____
269 Robert V. Wilder (Tel: 512-246-8555)
270 Registration No. 26,352
271 Attorney for Applicant
272 4235 Kingsburg Drive
273 Round Rock, Texas 78681

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